

Amendments To The Drawings:

None.

Remarks

This Amendment is in response to the Office Action dated **July 15, 2009**. In the non-final the examiner asserted that claims 1-22 were obvious pursuant to 35 U.S.C. §103 over Graham US 2002/0178271 in view of Hearn WO 03/003242.

Applicant respectfully traverse this rejection

As applicant has previously indicated, Claim 1 of the current application specifies an access control system for controlling access to data stored on at least one data storage medium of a computing system which comprises, *inter alia*, for each authorized user, a master data access profile and a current access data access profile, the current data access profile being modifiable within parameters defined by the master data access profile.

In this way, it is possible to modify access parameters of a user during use of a computer system, for example according to the particular activity being carried out by the user and associated risk to the computer system, but only within the access parameters defined by the master data access profile. Accordingly, it is possible to maintain control over data access for each user by defining appropriate master access profiles, while allowing modification of a current access profile without any requirement to re-boot the computing system.

As acknowledged by the examiner in the office action of July 15, 2009, there is no disclosure of this arrangement in Graham '271.

In the office action the examiner asserts that this feature was well known in the art and would have been an obvious modification of the system disclosed by Graham '271 as introduced by Hearn '242. Applicant traverses this assertion.

In the office action the examiner asserts that the Hearn '242 reference at page 4 lines 15-20; 179, 181, and figure 7E teaches:

For each authorized user, a master data access profile and a current access data access profile, the current data access profile being modifiable within parameters defined by the master data access profile.

The Hearn '242 reference at page 4, lines 15 to 20 states:

Preferably, the prescribed profile of access comprises a prescribed allocation of predetermined levels of access permitted for an authorized user of the computer to prescribed partitions or zones of the storage device.

This disclosure teaches that each user has an associated access profile and the profiles of authorized users may be different such that for example one user is provided with a higher level of access than another user. There is no teaching or suggestion in this passage for a master access profile and a current access profile modifiable within parameters defined by the master access profile.

The Examiner also refers to Figure 7E reference numerals 179 and 181 for the assertion that the feature of a master access profile and a current access profile modifiable within parameters defined by the master access profile is obvious. Applicant traverses this assertion.

Within the Hearn '242 reference, Figure 7E, numerals 179 and 181 are directed to an arrangement wherein multiple storage devices are secured, in the example shown for a “master” storage device and “slave” storage device. The “master” and “slave” devices of Hearn '242 do not correspond to the master and current access profiles of present claim 1.

The "master" and "slave" storage devices are described in more detail from the Hearn '242 specification as follows:

[0164] The device details frame 172 includes a title banner 178, which displays the text "device information", as well as two further sub-banners displaying the text "master" at 179 and "slave" at 181. These sub-banners head regions for displaying information about the prescribed device or devices that are protected by the security device 35. In the present embodiment, up to two storage devices are allowed, which is normal under the ATA standard, one being denoted the "master" device and the other being denoted the "slave" device. The respective regions detailing the device information include three further sub-level banners for displaying the text "device" at 183, "access" at 185 and "size MB" at 187. Display frames 189 for each sub-banner are respectively provided below the device, access and size banners for listing the device details that the user is permitted to observe on the master and/or slave device, as set by the administrator.

The Hearn '242 specification goes on to describe the nature of possible access profiles in terms of the partitions which may be accessed and the degree of access permitted. There is no reference in the Hearn '242 specification to providing the master and current access profiles wherein the current access profile is modifiable within parameters defined by the master access profile.

Applicant respectfully traverses the rejection of claims herein over Graham US 2002/0178271 in view of Hearn WO 03/003242 pursuant to 35 U.S.C. §103. *A prima facie* case of obviousness of Applicants' claimed invention has not been established, as the cited references do not teach, suggest or motivate all of the features included in independent claims 1, 11, 21, and 22. *Prima facie* obviousness is not established if all the elements of the rejected claim are not disclosed or suggested in the cited art. *In re Ochiai*, 37 USPQ 1127, 1131 (Fed. Cir. 1995). ("The test for obviousness *yet non* is statutory. It requires that one compare the claim's 'subject matter as a whole' with the prior art 'to which said subject matter pertains.'"). See also, MPEP § 2143.03

“All Claim Limitations Must Be Taught or Suggested,” citing In re Royka, 180 USPQ 580 (CCPA 1974). “To establish *prima facie* obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art.” MPEP § 2143.03. The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. “To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.” *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985). See MPEP § 2144- § 2144.09.

In this case neither of the references as cited by the examiner teach or suggest the limitation of a master data access profile and a current access data access profile, the current data access profile being modifiable within parameters defined by the master data access profile, therefore, the asserted combination of the examiner fails, and claims 1 through 22 are not obvious pursuant to 35 U.S.C. §103. In addition, the examiner has failed to provide an articulated reason why the limitation of a master data access profile and a current access data access profile, the current data access profile being modifiable within parameters defined by the master data access profile would have been obvious to a person of ordinary skill in the art, when both of the cited references fail individually, or in combination, to suggest or to teach this limitation.

Thus, a *prima facie* case of obviousness has not been established.

With respect to claims 2 through 10, and 12 through 20 applicant respectfully asserts that the dependent claims 2 through 10, and 12 through 20 are allowable, because they depend from an allowable independent claim. . See MPEP § 2143.03 (“If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.”) As such,

Applicant respectfully requests allowance of claims 1 through 22 herein.

For at least the above stated reasons, applicant respectfully asserts that applicant's claims herein are allowable over the prior art of record. Reconsideration and early action to that effect is earnestly solicited. Applicant respectfully requests reconsideration and allowance of claims 1 through 22 herein over the prior art of record.

Should the Examiner have any questions concerning this Amendment, then the Examiner is cordially invited to contact the undersigned by telephone, facsimile, and/or E-Mail at the below identified address. If an extension of time is required to make this response timely and no separate petition is enclosed, Applicant hereby petitions for an extension of time sufficient to make the response timely. In the event that the response herein requires the payment of additional government fees and payment is not enclosed, please charge Deposit Account No. 22-0350.

Conclusion

It is believed that claims 1 through 22 in the present application are in condition for allowance in view of the foregoing. Applicant respectfully requests reconsideration of the claims herein and that the rejections be withdrawn and the claims allowed. Applicant respectfully requests the Examiner to reconsider the claims herein which Applicant believes are in condition for allowance. Early action to that effect is earnestly solicited.

Respectfully submitted,

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Date: October 15, 2009

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